

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MELVIN YU

Petitioner,

No. 2:11-cv-0110 JAM CKD P

vs.

GARY SWARTHOUT

Respondent.

ORDER

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Petitioner, a state prisoner, proceeds pro se with an application for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On October 8, 2012, respondent filed a motion to dismiss. (Dkt. No. 22.) Petitioner has not opposed the motion. Good cause appearing, IT IS HEREBY ORDERED that petitioner file an opposition to respondent's pending motion to dismiss or a statement of non-opposition, within 30 days of the date of this order. Failure to comply with this order will result in a recommendation that this action be dismissed under Rule 41(b) of the Federal Rules of Civil Procedure.

Dated: November 28, 2012


CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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